

11 310A (Form 210A) (12-09)

United States Bankruptcy Court  
Southern District of New York

In re Lehman Brothers Holdings Inc., et al., Debtors.

Case No. 08-13555 (SCC)  
(Jointly Administered)

TRANSFER OF CLAIM OTHER THAN FOR SECURITY

A CLAIM HAS BEEN FILED IN THIS CASE or deemed filed under 11 U.S.C. § 1111(a). Transferee hereby gives evidence and notice pursuant to Rule 3001(e)(2), Fed. R. Bankr. P., of the transfer, other than for security, of the claim referenced in this evidence and notice.

Empyrean Investments, LLC

Name of Transferee

Morgan Stanley Senior Funding, Inc.

Name of Transferor

Name and Address where notices to transferee should be sent:

Court Claim # (if known): 23572

Amount of Claim Transferred: \$1,278,720.00

Debtor: Lehman Brothers Holdings Inc.

Sterling Hathaway  
Empyrean Capital Partners, LP  
10250 Constellation Blvd., Ste 2950  
Los Angeles, CA 90067  
Email: shathaway@empyrean.com  
Fax: 310-843-4915  
Phone: 310-843-3070

Name and Address where transferee payments should be sent (if different from above):

Phone: \_\_\_\_\_

Last Four Digits of Acct #: \_\_\_\_\_

I declare under penalty of perjury that the information provided in this notice is true and correct to the best of my knowledge and belief.

By: \_\_\_\_\_

Transferee/Transferee's Agent

Date: 10/11/16

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 & 3571.

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**EVIDENCE OF TRANSFER OF CLAIM**

**TO: THE DEBTOR AND THE BANKRUPTCY COURT**

For value received, the adequacy and sufficiency of which are hereby acknowledged, **Morgan Stanley Senior Funding, Inc.** ("Assignor") hereby unconditionally and irrevocably sells, transfers and assigns to **Empyrean Investments, LLC** ("Assignee") all of Assignor's right, title, interest, claims and causes of action in and to, or arising under or in connection with, **\$1,278,720.00** of its claim (as such term is defined in Section 101(5) of the U.S. Bankruptcy Code) against **Lehman Brothers Holdings Inc.** (the "Debtor"), the debtor in chapter 11 Case No. 08-13555 (SCC) pending in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"), and the relevant portion of any and all proofs of claim (No. 23572) filed by Avila Master Fund L.P. with the Bankruptcy Court in respect of the foregoing claim.

Assignor hereby waives any objection to the transfer of the claim to Assignee on the books and records of the Debtor and the Bankruptcy Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as may be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Assignor acknowledges and understands, and hereby stipulates, that an order of the Bankruptcy Court may be entered without further notice to Assignor transferring to Assignee the foregoing claim, recognizing Assignee as the sole owner and holder of the claim, and directing that all payments or distributions of money or property in respect of the claim be delivered or made to Assignee.

IN WITNESS WHEREOF, this EVIDENCE OF TRANSFER OF CLAIM is executed this 14 day of October 2016.

**Morgan Stanley Senior Funding, Inc.**

By:   
Name: John Ragusa  
Title: Authorized Signatory

**Empyrean Investments, LLC**

By: \_\_\_\_\_  
Name: Sterling Hathaway  
Title: Director of Operations

**EVIDENCE OF TRANSFER OF CLAIM**

**TO: THE DEBTOR AND THE BANKRUPTCY COURT**

For value received, the adequacy and sufficiency of which are hereby acknowledged, Morgan Stanley Senior Funding, Inc. ("Assignor") hereby unconditionally and irrevocably sells, transfers and assigns to Empyrean Investments, LLC ("Assignee") all of Assignor's right, title, interest, claims and causes of action in and to, or arising under or in connection with, \$1,278,720.00 of its claim (as such term is defined in Section 101(5) of the U.S. Bankruptcy Code) against Lehman Brothers Holdings Inc. (the "Debtor"), the debtor in chapter 11 Case No. 08-13555 (SCC) pending in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"), and the relevant portion of any and all proofs of claim (No. 23572) filed by Avila Master Fund L.P. with the Bankruptcy Court in respect of the foregoing claim.


Assignor hereby waives any objection to the transfer of the claim to Assignee on the books and records of the Debtor and the Bankruptcy Court, and hereby waives to the fullest extent permitted by law any notice or right to a hearing as may be imposed by Rule 3001 of the Federal Rules of Bankruptcy Procedure, the Bankruptcy Code, applicable local bankruptcy rules or applicable law. Assignor acknowledges and understands, and hereby stipulates, that an order of the Bankruptcy Court may be entered without further notice to Assignor transferring to Assignee the foregoing claim, recognizing Assignee as the sole owner and holder of the claim, and directing that all payments or distributions of money or property in respect of the claim be delivered or made to Assignee.

IN WITNESS WHEREOF, this EVIDENCE OF TRANSFER OF CLAIM is  
executed this 14 day of October 2016.

**Morgan Stanley Senior Funding, Inc.**

By: \_\_\_\_\_  
Name:  
Title:

**Empyrean Investments, LLC**

By:  \_\_\_\_\_  
Name: Sterling Hathaway  
Title: Director of Operations